

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GARY L. MCCOY,

Plaintiff,

Case No. 3:17-cv-432

vs.

DR. RODNEY L. CARLSON, *et al.*,

Defendants.

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE
MAGISTRATE JUDGE (DOC. 141); AND (2) DENYING AS MOOT DEFENDANTS'
MOTION TO DISMISS THE THIRD AMENDED COMPLAINT (DOC. 89)**

The Court has reviewed the Report and Recommendation of Magistrate Judge Michael J. Newman (Doc. 141), to whom this case was referred pursuant to 28 U.S.C. § 636(b). The parties have not filed objections to the Report and Recommendation and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired. Accordingly, it is hereby **ORDERED** that: (1) the Report and Recommendation (Doc. 141) is **ADOPTED** in full; and (2) Defendants' motion to dismiss the third amended complaint (Doc. 89) is **DENIED AS MOOT**.

IT IS SO ORDERED.

Date: December 3, 2019

*s/Thomas M. Rose
Thomas M. Rose
United States District Judge